IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 21977 of 2004

Between:

B. Trinadha Rao, S/o B.M. Naidu, Hindu,
R/o D.No. 65-1-190, Srinivasanagar, Coramandal Gate, Visakhapatnam
Visakhapatnam District.

..... PETITIONER

AND

1 The East-Coast Railway, Rep. by its General Manager, Kolkata,
State of West Bengal.
2 The Divisional Railway Manager, The South Eastern Railway, Visakhapatnam.
3 The Senior Divisional Commercial Manager, The South Eastern Railway,
Visakhapatnam.
4 R.R. Enterprises, Rep. by its Sole Proprietor, V.T. Sarath Babu,
Parking Stand, Visakhapatnam Railway Station, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more one in the nature of Writ of Mandamus declaring the action of the respondents in not issuing fresh notification inviting tenders for granting license to occupy land for the purpose of Cycle/Motor Cycle/Scooter/Motor Car Stand at Visakhapatnam Railway Station and in continuing the 4th respondent as lessee even after completion of his lease period on 2-11-2004 as illegal, arbitrary, mala fide causing loss to the Railway Department and consequently, direct the respondents to issue fresh notification inviting tenders for granting license to occupy the land for the purpose of cycle/Motor/Cycle/Scooter/Motor Car Stand at Visakhapatnam Railway Station for the lease period 2004-2007 forthwith.

Counsel for the Petitioner: MR.M.SUBBA REDDY

Counsel for the Respondent Nos. 1 to 3: MR.G.S.SANGHI

Counsel for the Respondent No.4: --

This Court at the admission stage made the following :

O R D E R:

This writ petition is filed seeking to declare the action of the respondents in not issuing fresh notification inviting tenders for granting license to occupy land for the purpose of Cycle/Motor Cycle/Scooter/Motor Car Stand at Visakhapatnam Railway Station and in continuing the fourth respondent as lessee even after completion of his lease period as arbitrary and illegal.

On receipt of the notice, the Senior Divisional Commercial Manager, on behalf of the respondents 1 to 3, filed a counter-affidavit stating that the fresh tender notification would be issued on or before 09-01-2005 i.e., before the expiry of the extended period of lease.

Today when the matter is taken up for consideration, the learned counsel appearing for the respondents 1 to 3, under instructions, states that on 03-01-2005, the fresh tender notification has already been issued.

In the circumstances, no further orders are necessary in the writ petition and the same is accordingly closed.

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(**G. ROHINI, J**)

Date: 23-02-2005

ghn

To

1 The General Manager, East Coast Railway, Kolkata, State of West Bengal.
2 The Divisional Railway Manager, The South Eastern Railway, Visakhapatnam.
3 The Senior Divisional Commercial Manager, The South Eastern Railway, Visakhapatnam.
4 The Proprietor, R.R. Enterprises,
Parking Stand, Visakhapatnam Railway Station, Visakhapatnam.

5 Two CD copies.